



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/759,837	01/11/2001	Xiao Wei Hu	14154 (JP919990264US1)

CONFIRMATION NO. 1902

FORMALITIES LETTER



OC000000005797083

SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, NY 11530

Date Mailed: 02/26/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

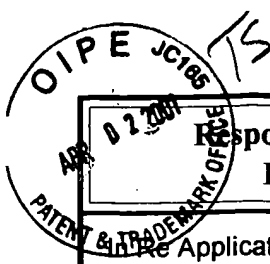
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/04/2001 EEKUBAY1 00000091 500510 09759837

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130.00 CH



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**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
14154 (JP919990264US1)

Inventor Application Of: **Xiao Wei Hu, et al.**

Serial No.	Filing Date	Examiner	Group Art Unit
09/759,837	January 11, 2001		unassigned

Invention: **A FRAMEWORK SYSTEM AND METHOD FOR TESTING SERVER PERFORMANCE**

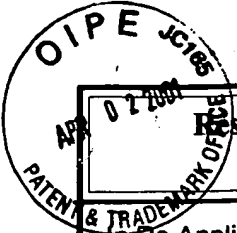
TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on **February 26, 2001**
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ Other (list):



Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)

Docket No.
14154 (JP919990264US1)

In Re Application Of: **Xiao Wei Hu, et al.**

Serial No.	Filing Date	Examiner	Group Art Unit
09/759,837	January 11, 2001		unassigned

Invention: **A FRAMEWORK SYSTEM AND METHOD FOR TESTING SERVER PERFORMANCE**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

☒ Completion of application fees as calculated below:

- | | |
|---|-----------------|
| <input type="checkbox"/> Utility application filing fee | _____ |
| <input type="checkbox"/> Design application filing fee | _____ |
| <input type="checkbox"/> Total number of independent claims = _____ | _____ |
| <input type="checkbox"/> Total number of claims = _____ | _____ |
| <input type="checkbox"/> Multiple dependent claims | _____ |
| <input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath | \$130.00 |
| <input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor | _____ |
| <input type="checkbox"/> Fee for processing an application filed with a non-English language specification | _____ |
| <input type="checkbox"/> Fee for processing and retention of application | _____ |
| Total completion of application fees | \$130.00 |

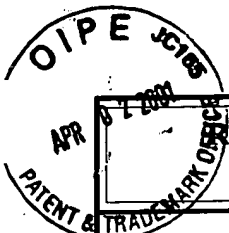
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

- ☐ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: _____ until: _____
Date Date

Total time extension fees _____

Total fees due **\$130.00**



**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.
14154 (JP919990264US1)

In Re Application Of: **Xiao Wei Hu, et al.**

Serial No.	Filing Date	Examiner	Group Art Unit
09/759,837	January 11, 2001		unassigned

Invention: A FRAMEWORK SYSTEM AND METHOD FOR TESTING SERVER PERFORMANCE

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

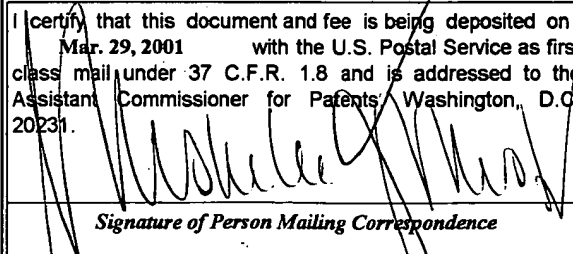
The fee of **\$130.00** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **50-0510/IBM**
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **50-0510/IBM**
A duplicate copy of this sheet is enclosed.


Signature

Dated: March 29, 2001

Steven Fischman
Registration No. 34,594
SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, NY 11530
(516) 742-4343

I certify that this document and fee is being deposited on Mar. 29, 2001 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.
 <i>Signature of Person Mailing Correspondence</i>
Mishelle Mustafa <i>Typed or Printed Name of Person Mailing Correspondence</i>

CC: